

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ARISE FOR SOCIAL JUSTICE;
 ¿OISTE?; NEW ENGLAND STATE-AREA
 CONFERENCE OF THE NAACP;
 REV. TALBERT W. SWAN, II;
 NORMAN W. OLIVER; DARLENE
 ANDERSON; GUMERSINDO GOMEZ;
 FRANK BUNTIN; RAFAEL RODRIQUEZ;
 and DIANA NURSE

Plaintiffs,

Civil Action No. 05-30080 MFP

V.

CITY OF SPRINGFIELD and SPRINGFIELD
ELECTION COMMISSION,

Defendants.

JOINT MOTION TO AMEND SCHEDULING ORDER

The parties hereby jointly move to amend the Scheduling Order entered on May 23, 2005. In support of their motion the parties state as follows.

1. The Scheduling Order established the following:

Event	Deadline
Non-expert depositions completed	September 23, 2005
Plaintiffs' expert disclosures	October 28, 2005
Depositions of Plaintiffs' experts	November 30, 2005
Defendants' expert disclosures	December 30, 2005
Depositions of Defendants' experts	January 27, 2006

A case management conference is currently scheduled for October 12, 2005 at 11:00 a.m.

At this time, no trial date has been set.

2. On August 18, 2005, the Court denied plaintiffs' motion to preliminarily enjoin the upcoming November elections. Accordingly, those elections will go forward.

3. The results of the November elections (including voter turnout data) will be directly relevant to the issues in this case. Additional time will be necessary to enable the parties' experts to review those results and incorporate them into expert reports.

4. Accordingly, the parties request that a new Scheduling Order be entered as follows:

Event	Deadline
Non-expert depositions completed	December 16, 2005
Plaintiffs' expert disclosures	January 13, 2006
Depositions of Plaintiffs' experts	February 10, 2006
Defendants' expert disclosures	March 10, 2006
Depositions of Defendants' experts	April 14, 2006

Respectfully submitted,

ARISE FOR SOCIAL JUSTICE; ¿OISTE?; NEW ENGLAND STATE-AREA CONFERENCE OF THE NAACP; REV. TALBERT W. SWAN, II; NORMAN W. OLIVER; DARLENE ANDERSON; GUMERSINDO GOMEZ; FRANK BUNTIN; RAFAEL RODRIQUEZ; and DIANA NURSE

By their attorneys,

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CITY OF SPRINGFIELD and
SPRINGFIELD ELECTION COMMISSION

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October 3, 2005